

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIEL CISNEROS,
Plaintiff,

v.

J. VANGILDER, et al.,
Defendants.

Case No. [16-cv-00735-HSG](#)

VERDICT FORM

DANIEL MANRIQUEZ,
Plaintiff,

v.

J. VANGILDER, et al.,
Defendants.

Case No. [16-cv-01320-HSG](#)

We, the jury in the above-entitled action, unanimously find the following on the questions submitted to us:

PLAINTIFF CISNEROS'S CLAIMS

Defendant Vangilder

- 1) Do you find by a preponderance of the evidence that Defendant Vangilder was deliberately indifferent to a substantial risk of serious harm to, and/or a serious medical need of, Plaintiff Cisneros?

YES ____

NO ____

If you answered YES to Question 1, go to Question 2.

If you answered NO to Question 1, skip Question 2 and go to Question 3.

2) Do you find by a preponderance of the evidence that Defendant Vangilder:

a) Was aware that Plaintiff Cisneros suffered harmful effects from exposure to OC?

YES _____ NO _____

b) Knew that Defendants' ventilation efforts were inadequate?

YES _____ NO _____

If you answered YES to both Questions 2(a) and 2(b), go to Question 2(c).

If you answered NO to either Question 2(a) or 2(b), go to Question 3.

c) Purposefully refused to provide Plaintiff Cisneros with a shower, medical care, or self-decontamination procedure?

YES _____ NO _____

Go to Question 3.

3) Do you find by a preponderance of the evidence that Defendant Vangilder was negligent, and that his negligence was a substantial factor in causing harm to Plaintiff Cisneros?

YES _____ NO _____

If you answered YES to Question 1 and/or Question 3, go to Question 4.

If you answered NO to both Question 1 and Question 3, go to Question 5.

4) What amount of damages do you award to compensate Plaintiff Cisneros for his claim against Defendant Vangilder?

\$ _____

Go to Question 5.

Defendant Vasquez

5) Do you find by a preponderance of the evidence that Defendant Vasquez was deliberately indifferent to a substantial risk of serious harm to, and/or a serious medical need of, Plaintiff Cisneros?

YES _____ NO _____

If you answered YES to Question 5, go to Question 6.

If you answered NO to Question 5, skip Question 6 and go to Question 7.

6) Do you find by a preponderance of the evidence that Defendant Vasquez:

1 a) Was aware that Plaintiff Cisneros suffered harmful effects from exposure to OC?

2 YES _____ NO _____

3 b) Knew that Defendants' ventilation efforts were inadequate?

4 YES _____ NO _____

5 *If you answered YES to both Questions 6(a) and 6(b), go to Question 6(c).*

6 *If you answered NO to either Question 6(a) or 6(b), go to Question 7.*

7 c) Purposefully refused to provide Plaintiff Cisneros with a shower, medical care, or
8 self-decontamination procedure?

9 YES _____ NO _____

10 *Go to Question 7.*

11 7) Do you find by a preponderance of the evidence that Defendant Vasquez was negligent,
12 and that his negligence was a substantial factor in causing harm to Plaintiff Cisneros?

13 YES _____ NO _____

14 *If you answered YES to Question 5 and/or Question 7, go to Question 8.*

15 *If you answered NO to both Question 5 and Question 7, go to Question 9.*

16 8) What amount of damages do you award to compensate Plaintiff Cisneros for his claim
17 against Defendant Vasquez?

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19 *Go to Question 9.*

20 **Defendant Cupp**

21 9) Do you find by a preponderance of the evidence that Defendant Cupp was deliberately
22 indifferent to a substantial risk of serious harm to, and/or a serious medical need of, Plaintiff
23 Cisneros?

24 YES _____ NO _____

25 *If you answered YES to Question 9, go to Question 10.*

26 *If you answered NO to Question 9, skip Question 10 and Question 11 and go to*
27 *Question 12.*

28 10) Do you find by a preponderance of the evidence that Defendant Cupp:

a) Was aware that Plaintiff Cisneros suffered harmful effects from exposure to OC?

YES _____ NO _____

b) Knew that Defendants' ventilation efforts were inadequate?

YES _____ NO _____

If you answered YES to both Questions 10(a) and 10(b), go to Question 10(c).

If you answered NO to either Question 10(a) or 10(b), go to Question 11.

c) Purposefully refused to provide Plaintiff Cisneros with a shower, medical care, or self-decontamination procedure?

YES _____ NO _____

Go to Question 11.

11) What amount of damages do you award to compensate Plaintiff Cisneros for his claim against Defendant Cupp?

\$ _____

Go to Question 12.

PLAINTIFF MANRIQUEZ'S CLAIMS

Defendant Vangilder

12) Do you find by a preponderance of the evidence that Defendant Vangilder was deliberately indifferent to a substantial risk of serious harm to, and/or a serious medical need of, Plaintiff Manriquez?

YES _____ NO _____

If you answered YES to Question 12, go to Question 13.

If you answered NO to Question 12, skip Question 13 and go to Question 14.

13) Do you find by a preponderance of the evidence that Defendant Vangilder:

a) Was aware that Plaintiff Manriquez suffered harmful effects from exposure to OC?

YES _____ NO _____

b) Knew that Defendants' ventilation efforts were inadequate?

YES _____ NO _____

If you answered YES to both Questions 13(a) and 13(b), go to Question 13(c).

If you answered NO to either Question 13(a) or 13(b), go to Question 14.

- c) Purposefully refused to provide Plaintiff Manriquez with a shower, medical care, or self-decontamination procedure?

YES _____ NO _____

Go to Question 14.

- 14) Do you find by a preponderance of the evidence that Defendant Vangilder was negligent, and that his negligence was a substantial factor in causing harm to Plaintiff Manriquez?

YES _____ NO _____

If you answered YES to Question 12 and/or Question 14, go to Question 15.

If you answered NO to both Question 12 and Question 14, go to Question 16.

- 15) What amount of damages do you award to compensate Plaintiff Manriquez for his claim against Defendant Vangilder?

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Go to Question 16.

Defendant Vasquez

- 16) Do you find by a preponderance of the evidence that Defendant Vasquez was deliberately indifferent to a substantial risk of serious harm to, and/or a serious medical need of, Plaintiff Manriquez?

YES _____ NO _____

If you answered YES to Question 16, go to Question 17.

If you answered NO to Question 16, skip Question 17 and go to Question 18.

- 17) Do you find by a preponderance of the evidence that Defendant Vasquez:

- a) Was aware that Plaintiff Manriquez suffered harmful effects from exposure to OC?

YES _____ NO _____

- b) Knew that Defendants' ventilation efforts were inadequate?

YES _____ NO _____

If you answered YES to both Questions 17(a) and 17(b), go to Question 17(c).

If you answered NO to either Question 17(a) or 17(b), go to Question 18.

c) Purposefully refused to provide Plaintiff Manriquez with a shower, medical care, or self-decontamination procedure?

YES _____ NO _____

Go to Question 18.

18) Do you find by a preponderance of the evidence that Defendant Vasquez was negligent, and that his negligence was a substantial factor in causing harm to Plaintiff Manriquez?

YES _____ NO _____

If you answered YES to Question 16 and/or Question 18, go to Question 19.

If you answered NO to both Question 16 and Question 17, go to Question 20.

19) What amount of damages do you award to compensate Plaintiff Manriquez for his claim against Defendant Vasquez?

\$ _____

Go to Question 20.

Defendant Cupp

20) Do you find by a preponderance of the evidence that Defendant Cupp was deliberately indifferent to a substantial risk of serious harm to, and/or a serious medical need of, Plaintiff Manriquez?

YES _____ NO _____

If you answered YES to Question 20, go to Question 21.

If you answered NO to Question 20, skip Question 21 and Question 22 and sign and date this form.

21) Do you find by a preponderance of the evidence that Defendant Cupp:

a) Was aware that Plaintiff Manriquez suffered harmful effects from exposure to OC?

YES _____ NO _____

b) Knew that Defendants' ventilation efforts were inadequate?

YES _____ NO _____

If you answered YES to both Questions 21(a) and 21(b), go to Question 21(c).

If you answered NO to either Question 21(a) or 21(b), go to Question 22.

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c) Purposefully refused to provide Plaintiff Manriquez with a shower, medical care, or self-decontamination procedure?

YES _____ NO _____

Go to Question 22.

22) What amount of damages do you award to compensate Plaintiff Manriquez for his claim against Defendant Cupp?

\$ _____

Sign and date this form.

Signature of jury foreperson

Date